## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

**CIVIL ACTION NO: 3:03CV447** 

GEORGE BERRY, et al.,	)	
Plaintiffs	)	
	)	
vs.	)	<u>ORDER</u>
	)	
HILLCREST FOODS, INC. and WAFFLE	)	
HOUSE, INC.,	)	
Defendants.	)	
	)	

THIS MATTER IS BEFORE THE COURT on the "Fifth Joint Settlement Report" (Document No. 99), filed April 17, 2006 by the plaintiffs – George Berry, Pacino Lindsay, Antijuan Love and Antonia Love – and the defendants – Hillcrest Foods, Inc. and Waffle House, Inc.

This case has been pending since September of 2003. The parties report that settlement was reached regarding monetary relief shortly after mediation held in August 2005, but that negotiations continued regarding non-monetary relief. The Court will continue the stay for an additional 30 days; however, the Court will consider lifting the stay if the parties are unable to report settlement of all remaining issues by the next reporting date set forth below.

IT IS, THEREFORE, ORDERED that this action will continue to be STAYED. No parties shall be required to file or serve any pleadings, memoranda, disclosures or discovery during such time as this action is stayed. On or before May 17, 2006, the parties shall jointly report the status of this matter to the Court.

IT IS FURTHER ORDERED that if on May 17, 2006, the parties are unable to report that settlement has been reached regarding non-monetary relief, the Court may set the matter for a status conference and consider lifting the stay at that time.

Signed: April 19, 2006

David C. Keesler

United States Magistrate Judge